

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

DECEMBER 1, 2008

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Acting Chairman Jim Liberman presiding. Upon roll call, the following responded:

Present:

Acting Chairman Jim Liberman
Steve Lichtenfeld, Aldermanic Representative
Craig Owens, City Manager (arrived at 5:48 p.m.)
Marc Lopata
Scott Wilson

Absent:

Chairman Harold Sanger
Ron Reim

Also Present:

Kevin O'Keefe, City Attorney
Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner

Acting Chairman Liberman welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES

The minutes of the November 17, 2008 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

SUBDIVISION PLAT – 319 NORTH CENTRAL AVENUE

Mr. Marc Burstein, property owner, was in attendance at the meeting.

Catherine Powers explained that this is a request for consideration of a Minor Subdivision Plat (lot split) to subdivide one (1) existing 13,906 R-3 zoned lot into two (2) R-3 lots. The plat subdivides Lot 10 in Block 1 of the North Bemiston Subdivision into two (2) lots as follows: Lot 1 – 6,951 square feet and Lot 2 – 6,955 square feet. Catherine indicated that the two (2) fifty (50) foot

lots meet all zoning requirements for frontage and lot size in the R-3 Zoning District and are compatible with other lots on this block of North Central Avenue. Catherine indicated that the existing single family residence will be demolished and new development not yet known will be placed on both newly subdivided parcels. Catherine stated that staff's recommendation is to recommend approval of the Subdivision Plat to the Board of Aldermen as submitted with the condition that the applicant submit proof of filing to the City Clerk within 30 days of approval by the Board of Aldermen.

Acting Chairman Liberman asked if removal of the existing is a part of this request.

Catherine Powers replied "no". She reiterated that this request is solely for splitting the lot and that the new lots do meet the requirements of the Zoning Ordinance for width and size.

Steve Lichtenfeld asked if there is a schedule as to when the structure will be demolished.

Mr. Burstein indicated that the structure should be gone in the next 20 days.

Marc Lopata informed Mr. Burstein that the wood, asphalt shingles and paving can be recycled.

Mr. Burstein stated that he has talked with Bellon Wrecking about that.

Marc Lopata suggested they contact Eco Recycling.

Mr. Burstein asked Marc to e-mail him the contact information for Eco Recycling.

Being no further questions or comments, Steve Lichtenfeld made a motion to recommend approval of the Subdivision Plat to the Board of Aldermen per staff recommendation. The motion was seconded by Scott Wilson and unanimously approved by the Board.

CONDITIONAL USE PERMIT/ARCHITECTURAL REVIEW – CENTRAL PRESBYTERIAN CHURCH – 626/700 SOUTH HANLEY ROAD

Tyler Stephens, project architect, was in attendance at the meeting.

Catherine Powers explained that Eric Schmidt, executive administrator of Central Presbyterian Church is requesting a Conditional Use Permit for the expansion of the Central Christian School to include five classrooms at the subject location. She noted that in June 1999, a Conditional Use Permit was granted to convert the 5,679 square foot building to office space in support of the school. Catherine stated that the converted residential building will be used to house 5 classrooms occupying the first and second floors and lower-level basement. The application materials indicate that the school will accommodate 18 to 22 5th and 6th grade students per classroom. The proposed hours of operation are Monday through Friday from 8:00 a.m. to 3:30 p.m. The existing rear surface parking lot will be eliminated to provide an outdoor patio space for the students. Parking spaces are provided in the adjacent school parking garage. Pick-ups and drop-offs will also be accommodated at the school utilizing the existing drop-off lane. An

accessible parking and loading space is shown on the drawings off the alley. A total of 5 parking spaces are required by the Zoning Ordinance. Catherine stated that the existing building is currently governed by a Conditional Use Permit for school offices. The conversion of this building to educational use will create a non-traditional setting for a school, effectively becoming an annex for the main Central Christian School building. Nonetheless, the proposed classroom use is compatible with other school and institutional uses on South Hanley Road and there should be no appreciable increase in traffic as long as the pick ups and drop offs are made at the 700 South Hanley Central Christian School building. Furthermore, the applicant is aware of the code compliance issues with this building in order to occupy the space as an educational use. The applicant's architect has provided plans which provides minimal accessibility provisions, but meets the City's Building Code. The building is being designed at a maximum occupancy level of 125 persons. Catherine indicated that staff recommends approval of the Conditional Use Permit to the Board of Aldermen subject the following conditions:

1. That the building be limited to 5 classrooms as shown on the plans signed 11-13-08;
2. That the accessibility of the building be in conformance with the city's building code as shown on the plans; and
3. That the 5 parking spaces be accommodated in the parking garage at 700 South Hanley.

Mr. Stephens indicated that he believes the application is self-explanatory and that that goal is to acquire more classroom space. He stated that these new classrooms are for 5th and 6th grade students. He indicated that the building was originally an apartment building, but that it has been used as an office building since 1999.

Acting Chairman Liberman asked if there are four or five classrooms being proposed.

Mr. Stephens indicated that there were 4 apartments and that during the process of Code compliance, it was determined that they need an accessible classroom and a bathroom on the same level, so they added a classroom for a total of 5. He informed the members that the Code deals with existing buildings and new buildings differently.

Jason Jaggi informed the members that the City's Building Official, Steve Askins, has determined that the plans meet Code requirements.

Steve Lichtenfeld asked Mr. Stephens if he or the school spoke with any of the neighbors or Trustees about the project.

Mr. Stephens stated that they met with the Aldermen and City representatives about the project, which has been ongoing for about 2 years. He stated that they did not meet with neighbors, although he noticed that two neighbors are in attendance tonight.

Ms. Barbara Budde, 622 S. Hanley Road, voiced her concern about children crossing the alley (Bemis Way). She stated this “alley” is a little more than an alley and is concerned about the safety of the children.

Mr. Stephens indicated that they originally intended to close the alley, but the City did not want to do that. He stated that children’s safety is of highest concern to the applicant as well.

Catherine Powers commented that a safety concern is not an Architectural Review Board issue and should be discussed during the Conditional Use Permit portion of the proposal.

Mr. Stephens introduced Mr. Josh Crane, Headmaster, to the members.

Mr. Crane indicated that the age of the students range from 3 years to 6th grade. He stated that it is a diverse school that focuses on academic excellence and character development. He indicated that the number of students has risen from 153 in June, 2005 to 253 currently.

Mr. Stephens commented that the top of the parking garage (700 S. Hanley) is the playground area which is not ideal, but it works. He stated that they considered consolidating with the church across the street, but that was not welcome. He indicated that considerations were also given to demolish the garage, which was not a good idea, and to close the alley, which was not approved by the City so the decision was made to rehab the existing building.

Mr. Stephens began a PowerPoint presentation. Slides depicting various views of the subject buildings (626 & 700) and the Bemis Way alley were shown. He indicated that they did not want the children utilizing the sidewalk along Hanley Road as they thought this was not a good environment for the children. He indicated that pick-ups and drop-offs will take place in the existing area in front of the 700 building. He indicated that the proposed canopies provide a visual tie between the two buildings. He stated that this was a challenge as the 626 building is traditional and the 700 building is more a 60’s modern design. He stated that he thought it more appropriate to do a colonnade in fabric using the school colors and that he believes the shape of the awnings go well with the buildings. He stated they are trying to identify this building as a school and that they have received positive reaction from school representatives as well as parents on the proposed awnings. He stated that the proposed signage links the two buildings together as well. He explained the existing signage to the members, indicating that there is a lot of signage currently and that they are asking for a ground sign and a large building sign that will require a modification to the Sign Ordinance.

Acting Chairman Liberman asked what the City’s objection was to closing the alley.

Mr. Stephens indicated that the City does not close alleys.

Catherine Powers commented that the alley is still used by the residents of Forest Court and trash haulers. She stated that it was felt that it was not in the best interest of the City to close the alley.

Acting Chairman Liberman voiced his concern about the children crossing the alley.

Mr. Stephens informed the members that the children will never cross the alley by themselves; they will always be with a teacher on the crosswalk and they will each have an umbrella.

Scott Wilson asked when school is let out. He mentioned that at 3 p.m. Starbucks is filled with children.

Catherine Powers stated that those are the children from Wydown Middle School.

Mr. Stephens reminded the members that their students are 6th grade and younger.

Steve Lichtenfeld asked if the cars from the garage utilize the alley.

Mr. Stephens indicated that they will only use the alley if they are exiting to Westwood.

Steve Lichtenfeld asked if the alley is one way west from Forest Court to Hanley.

Mr. Stephens replied “yes”.

Marc Lopata asked if the alley can be closed only during certain times during the day.

Catherine Powers reminded the members that this is a public alley and that she does not believe the Interim Public Works Director would want to do that. She stated that closing the alley for a private use would set a precedent.

Steve Lichtenfeld asked if consideration was given to incorporating a rear entrance at 626.

Mr. Stephens stated that if a rear entrance was put in, the children would have to cross further down the hill and they would spend more time in the alley. He stated the grade is steeper further down the alley.

Steve Lichtenfeld asked if there will be a crossing guard or if the school teachers will be responsible for ensuring that the children cross safely.

Mr. Stephens stated that the school will be responsible for that. He stated that they looked at several different options and it was concluded that this was the safest option. He stated that there is a stop sign at the end of the alley.

Marc Lopata asked if there are trees in front of the 626 building.

Mr. Stephens replied “no”.

Acting Chairman Liberman asked where the children eat.

Mr. Crane indicated that they eat in the 700 building. He stated that the children will only have to cross the alley 1 to 2 times per day.

Ms. Budde asked if consideration was given to installing a bridge to connect the two buildings.

Mr. Stephens indicated that a bridge would be cost prohibitive.

Mr. Budde commented that although the curb is Clayton's, the street (Hanley) is a County owned road. He asked if the patio is to be enclosed within a fence.

Mr. Stephens replied "yes".

Mr. Budde stated he has no objection to using the building as a school; in fact, he welcomes it and understands the need for it. He stated his concern is for the safety of the children especially with the relation to his driveway.

Mr. Stephens reiterated that the patio is contained.

Being no further questions or comments regarding the Conditional Use Permit, Marc Lopata made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen per staff recommendations. The motion was seconded by Scott Wilson and unanimously approved by the members.

The architectural aspects of the project were now up for review.

Catherine Powers explained that the applicant is proposing to install blue fabric awnings in front of both buildings; to be up-lit. The black awning support system will be attached to the structure and secured to the ground. Two ground signs are proposed in front of each building within a tree lawn area. The signs are shown measuring 2.5 x 8-feet. The signs will contain an aluminum background panel with metal and acrylic cut-out letters. The existing directional signs will be removed. The existing wall sign on the 700 S. Hanley building will be removed and replaced with a 27 square foot wall sign containing pin-mounted stainless steel letters. The Sign Ordinance allows a 25 square foot ground sign or a 12 square foot wall sign at the entrance to the school. New landscaping and other site work are proposed. A total of 71 caliper-inches of Bradford Pear trees are shown to be removed. The applicant is proposing 27-inches of new Pin Oak trees. Shrubs and evergreens are proposed around the base of the 626 S. Hanley building. To provide improved access to the 626 S. Hanley building, the applicant is proposing to install a crosswalk and an accessible parking/loading space off the alley. Catherine indicated that staff has several concerns with this proposal; first, the awnings do not match the traditional architectural style of the 626 S. Hanley building and staff believes that traditional awnings could be incorporated that would tie the two buildings together; secondly, the amount of signage should be limited to the proposed ground sign and a 12 square foot wall sign at the entrance. Additionally, staff believes that the ground sign proposed for 700 S. Hanley should be reduced in length to no more than 6-feet which would be more proportional with the lawn area. To match, the sign at 626 S. Hanley should also be reduced to the same size; thirdly, the Department of Public Works does not approve of the proposed stamped alley crosswalk. The existing sidewalk fronting Hanley should be utilized and; finally, the applicant

is not meeting tree caliper replacement in that there is a deficit of 44-inches shown, which would result in a caliper deficiency fee payment of \$5,280. Catherine indicated that staff recommendation is as follows:

To approve with the following conditions:

1. That the awnings be changed to a more traditional form to be more compatible with the building architecture and surrounding area.
2. That the applicant apply for a sign permit showing the wall sign reduced to 12 square feet above the entrance and the ground signs be reduced in length to 6-feet.
3. That the proposed stamped alley crosswalk shown on the plans be eliminated.
4. That the applicant submit a revised landscape plans providing additional trees for staff review or pay \$5,280 into the City's Forestry Fund.

Mr. Stephens asked that he be allowed to address each of staff's comments. He stated that with regard to the awnings, he believes the proposal is appropriate and that they have received a positive response from school representatives and parents. He stated that this is not a store and that they could not get one awning to match both buildings. He stated with regard to the crosswalk, the concern from the Public Works Department just came up within the last month. He stated they do not want the children walking on the Hanley Road sidewalk. He stated with regard to the trees, they could plant more trees in the back yard, but they would eventually die.

Jason Jaggi indicated that they could plant some holly trees around the patio.

Mr. Stephens stated that with regard to the signage, they could reduce the ground signs to 6 feet in length versus 8 feet as that seems appropriate; however, he asked that they be allowed to install the 27 square foot wall sign as currently, the buildings contain more than 27 square feet of signage.

Catherine Powers commented that new signage should comply with the Sign Ordinance.

Steve Lichtenfeld asked if a painted crosswalk could be done in lieu of the stamped crosswalk as proposed.

Catherine Powers indicated that she does not know if that would be acceptable as that decision would be made by the Public Works Director.

Steve Lichtenfeld stated that he believes it is the right thing to do to keep the children as far away from Hanley Road as possible.

Mr. Stephens indicated that he would work with the Interim Public Works, John Wulf, regarding the pattern and material for the crosswalk.

Jason Jaggi commented that due to a maintenance issue, the Public Works Director may be more receptive to a painted crosswalk.

Steve Lichtenfeld asked if the awnings are proposed to be lit.

Mr. Stephens replied “yes”. He stated that they will glow from underneath as they have a translucent quality. A material sample was presented.

Jason Jaggi commented that there are also up-lights.

Mr. Stephens concurred. He stated that there are lights on top of the awning poles.

Scott Wilson commented about how different the proposed awnings are. He stated that he does not like the color (blue).

Marc Lopata asked why the trees are being removed from the parkway.

Jason Jaggi indicated that Bradford Pears are not good trees and they hide the building.

Marc Lopata asked about painting the building to the north the same color as the church.

Mr. Stephens indicated that they considered doing that, but that it would turn to a maintenance headache. He stated that there would be a question of what color to paint it as well.

Marc Lopata asked if the amount of impervious coverage is being increased.

Jason Jaggi replied “no”. He stated that impervious coverage is actually being decreased.

Marc Lopata asked if water will penetrate the awning material.

Mr. Stephens replied “no”.

Marc Lopata disagreed. He stated that he believes water will penetrate.

Mr. Stephens advised the Board that according to the manufacturer, water will not penetrate the material.

Marc Lopata commented that he likes the paved crosswalk. He asked what the City’s problem is with it as they are found throughout the City.

Catherine Powers reiterated that this is a private entity and not a public crosswalk.

Marc Lopata asked if the Public Works Department maintains the alley.

Catherine Powers replied “yes”.

Marc Lopata asked if the City would object if the church maintained the alley.

Catherine Powers indicated that issue would need to be discussed with the Public Works Director.

Steve Lichtenfeld stated that the canopy idea is a good one to tie the buildings together, but he is not comfortable with their design, the material or the lighting and believes that they would turn out garish on Hanley Road.

Acting Chairman Liberman commented that he believes the awning looks like an event awning versus a permanent awning.

Mr. Stephens asked if the Board would be more receptive to the awnings if there was no lighting and if they were black rather than blue.

Steve Lichtenfeld indicated that to him, that would be a step in the right direction. He asked if the fabric can withstand snow and ice.

Mr. Stephens replied “yes”.

Scott Wilson commented that he still does not like them.

Acting Chairman Liberman noted the four issues noted in staff’s recommendation.

Steve Lichtenfeld commented that a partial approval cannot be granted and suggested Mr. Stephens come back with awning revisions.

Mr. Stephens asked for direction.

Scott Wilson asked if they considered no awnings at all. He stated that it seems to him it would be better without the awnings.

Mr. Stephens stated he feels they are appropriate for the school as they provide cover and tie the buildings together. He stated that he does not believe a typical sloped awning would work.

Steve Lichtenfeld commented that the kids will need umbrellas in inclement weather and that the function of the awning is negated if they have umbrellas anyway.

Mr. Stephens stated that it would be nice to have an umbrella at the front door.

Steve Lichtenfeld commented that he believes the awning has limited functionality.

Mr. Stephens disagreed.

Jason Jaggi asked if consideration could be given to having an awning at each entrance rather than run the entire length of each building.

Marc Lopata made a motion to table the architectural review to give the applicant an opportunity to work with the City's Planning Department regarding the items of concern and to come back with revisions. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

Catherine Powers noted that today was the deadline to get on the December 15th agenda, so this will not come back until at the earliest the first meeting in January.

Jim Liberman asked Mr. Stephens about the tree caliper deficiency payment.

Mr. Stephens indicated that they could plant some more trees.

Catherine Powers stated that staff would then need to see a revised landscape plan.

Mr. Stephens asked about the signage.

Steve Lichtenfeld indicated that he would like to see the requirements of the Sign Ordinance be followed.

Marc Lopata voiced his concern about the continuing loss of trees in our "tree city". He stated that several hundred caliper inches of trees have been lost over the past couple of months and that the City gives away trees for a cost far below the market rate for the property being given to the developer. The developer has a huge incentive to remove trees and as a "tree city", the City does nothing to discourage that.

Catherine Powers informed Marc that the City makes every attempt to replace caliper per caliper, but where this cannot be accomplished, the applicant is required to pay into the City's Forestry Fund which is used to purchase and plant trees throughout the City. She stated that this Board can reject a site plan so not to allow tree loss without replacement.

Marc indicated that Mr. Stephens is correct in that cramming trees onto a site will result in the death of trees and that once the tree canopy is lost, there is no way to get it back no matter how many trees are planted or how much money the City receives in funds. He asked that a chart/graph be prepared by staff to depict past projects' lot size in relation to tree loss so as to give the Board some posture for reference and help the Commission decide if a particular project for its size is higher or lower than the normal and if the City is satisfying its fiduciary duty to the taxpayers/residents of Clayton to protect the character of the neighborhood as well as our "tree city" status. He stated that he is not suggesting code changes or legal requirements, simply a method to help the Commission do their job.

Jim Liberman commented that he would guess that this information would not be a deterrent.

Catherine Powers commented that it could take months to do the research necessary to produce such information.

Jason Jaggi indicated that he is not aware of any site plan being rejected based solely on tree removal and that there is no ordinance in place that prohibits the removal of trees.

Catherine Powers reiterated that the City's Forestry Fund replaces lost trees.

Marc Lopata stated that the fund is used only when the life cycle ends.

Jason Jaggi indicated that a new ordinance would have to be put in place.

Catherine Powers noted that another issue that has been brought up is impervious coverage.

Jim Liberman asked that similar municipalities be surveyed to see how they deal with tree loss and impervious coverage.

Steve Lichtenfeld indicated that he concurs with Marc's concerns about the loss of trees and amount of impervious coverage.

Catherine Powers indicated that staff could do a review of tree policy and impervious coverage within the next couple of months

Kevin O'Keefe reminded the members that there is no prohibition regarding tree removal and that tree removal is only regulated during large scale new development. He stated that property owner's rights and the extent of the City's regulatory footprint have to be considered.

Scott Wilson stated that the topic is worth discussion.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:05 p.m.

Recording Secretary